

2-7	Provider Training and Personnel Requirements	Part 1 of 6
Authorizing Utah Code: 62a-5-103	Rules: R539-6-1 to R539-6-4	DD Policy
Approved: 7/8/99	Rule Effective:	Printed: 5/02
Form(s): 5-3	Guideline(s): DHS Policy 05-03	

POLICY

Provider Agency staff training helps to ensure that the supports **Persons** receive are appropriate, responsive and of high quality. It is the responsibility of the contracting **Provider Agency** to: (a) establish the method of assuring employee competency, (b) ensure the competency of all staff is tested by written examination or some other method, (c) maintain employee test results and (d) make results available to **Division** staff upon request. **Provider** employees include any full-time, part-time, temporary, on-call, contract or relief staff except licensed professional consultants employed by the **Provider** to work with a **Person** receiving **Division** funds.

The **Provider Agency** is responsible to provide each new employee with a pre-service manual or video and to ensure that training is updated periodically to maintain employee competency. Required standards for staff certification, demonstrated competency, education and training must be met according to the subject and time frames listed below. Training may be waived by the **Provider Agency** for employees who are able to demonstrate competency. Verification of competency must be documented and maintained by the **Provider** in the employee's file. This policy only applies to **Provider Agencies** and **Provider** staff working with **Persons** who have Mental Retardation, Developmental Disabilities or Brain Injury. This policy does not apply to **Persons** eligible for services under personal assistance. Procedures 1 through 5 below relate to training requirements, whereas procedures 6, 7 and 8 have to do with personnel procedures.

PROCEDURES

Provider staff who provide community living supports (including supports known previously as "group home," "supervised apartments" and "supported living"), site and nonsite day support, senior supports or personal assistance services must meet requirements listed in Procedures 1, 2, 3, 4, 5, and 6 of this policy. Professional parent and host home support **Providers** must meet requirements listed in Procedures 1, 2, 3 B and 3 C, 6, and 7 C. **Provider** staff who provide family assistance, respite, companion services or services through a fiscal intermediary agency must meet requirements listed in Procedures 1, 6 and 7 D. **Providers** of supported employment services must meet requirements listed in Procedures 1, 2, 3 B, and 6.

1. **Provider Staff Training Requirements:**
Providers are required to demonstrate competency in the concepts and elements listed below prior to supporting **Persons** with disabilities:
 - A. Emergency procedures (as outlined in each Provider's policy manual)
 - B. Behavioral supports (Policy 1-11, Adaptive Behavior Development)
 - C. Crisis procedures (Policy 1-12, Emergency Behavioral Intervention)
 - D. Legal rights of **Persons** with disabilities (Policy 1-1, Human Rights)

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- E. Abuse, neglect, and exploitation (Policy 1-1, Human Rights, and Policy 5-3, Code of Conduct)
 - F. Department Code of Conduct (Policy 5-3, Code of Conduct)
 - G. Confidentiality (Policy 1-2, Human Subject Research)
 - H. Orientation to **Persons** with Mental Retardation and Developmental Disabilities or Brain Injury as applicable.
2. By the end of 30 days, each new **Provider** employee shall complete initial training under the direction of the employee's superior and complete study and competency testing in:
- A. Medication Competency
 - i. Identification of common medications and side-effects
 - ii. Identification of medications and medication side-effects specific to the **Person**, including self-medication administration and documentation
 - B. Health
 - i. Illness symptom recognition specific to the **Persons** served
 - ii. Prevention of communicable disease (Human Immunodeficiency Virus, Sexually Transmitted Diseases, Hepatitis, etc.)
 - iii. Specific dietary issues for **Persons** with diabetes or other critical health care issues
 - C. Knowledge about the disability, required support, and strengths of the **Person** the employee is to support
 - D. Knowledge of **Person's** swallowing and eating difficulties
 - E. Policy 1-9, Health and Medication Requirements
3. By the end of six months of employment, each new **Provider** employee shall complete training and competency testing in:
- A. The use of non-aversive techniques in behavioral crisis prevention and intervention
 - B. If the employee works with **Persons** who are likely to become aggressive, Mandt, Professional Assault Response Training (PART), or other **Division** approved intervention required. **Providers** are encouraged to provide this training to staff as appropriate and as determined necessary.

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- C. **Division** policies, philosophy, mission, and beliefs
 - D. **Provider** policies, philosophy, and mission (Policy 5-6, Provider Policy and Records)
 - E. Principles of age appropriate community inclusion and **Natural Support** development (Policy 1-1, Human Rights)
 - F. Key elements of the **Americans with Disabilities Act** (P.L. 101-336)
 - G. **Person-Centered Plan** development (Policy 1-16)
 - H. Common disabling conditions and disabling conditions of **Persons** served by **Provider Agency** staff
 - I. Recreation and leisure skills
 - J. Emergency procedures: First aid and cardiopulmonary resuscitation (CPR) certification unless the **Person** works in a day training facility where all **Persons** have access throughout the day to at least one staff who is First Aid and CPR certified
 - K. Basic concepts of good nutrition
4. By the end of one year of employment, each new **Provider** employee shall complete training and competency testing in:
- A. Self-determination principles
 - B. **Person-Centered Planning** processes and principles
 - C. Personal outcomes
 - D. **Provider** operations and service delivery
5. After the first year of employment, a minimum of 12 hours of additional training per year related to services for **Persons** with disabilities is required and must include Cardiopulmonary Resuscitation and First Aid certification or recertification.

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6. **Provider Personnel Procedures:**

- A. All direct care staff shall be at least 16 years of age, and if over age 18, pass a Bureau of Criminal Identification and criminal background check prior to working with children. **Provider Agencies** are encouraged to have all employees pass a Bureau of Criminal Identification screening prior to working with adults.
- B. Within two weeks of the employee's start date, all new employees must file a negative screen for tuberculosis, or show that a chest x-ray is negative if previous tuberculin test indicated positive results. (**Self-Directed Corporations** are exempt from this requirement.)
- C. All staff involved in food preparation shall have a current Food Handler's Permit obtained from the County Health Department. (**Self-Directed Corporations** are exempt from this requirement.)
- D. The ratio of staff to **Persons** supported shall be based upon the need of the **Person**, and shall meet the minimum ratios identified in the contract for the program or the Individual Service Plan. Students and volunteer positions may be used to augment, but not replace, regularly employed staff.
- E. Each **Provider Agency** will have a written statement of operation and the following information in the file of each employee or contractual worker providing direct services and supports:
 - i. An application
 - ii. References (with verification of those references by the **Provider Agency**)
 - iii. Bureau of Criminal Identification release forms (if applicable) in accordance with procedure 1 of this policy
 - iv. If the employee will be providing transportation support:
 - a. a copy of the employee's driver's license
 - b. evidence of insurance coverage per Division guideline or contract
 - c. proof that the employee received first aid training prior to transporting any **Person** receiving supports
 - d. proof that the **Provider** checked the employee's driving record at least once a year and restricted employees with undesirable driving records.
 - v. The **Department's** Provider Code of Conduct signature sheet signed by the employee providing direct services and supports
 - vi. Record of training, competency tests, methods and educational transcripts and degrees if transcripts and degrees are used by the **Provider** to determine competency

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- F. **Providers** are responsible to ensure that staff training is conducted by a trainer with professional experience and knowledge in providing services and supports to **Persons** with disabilities.
- G. All staff contracted or employed under a **Provider Agency** to provide family support or respite services will maintain records for Persons served according to **Division** Policy 5-5, **Provider** Records for **Persons**.
- H. **Provider** is responsible to ensure that at least one employee qualified in Cardiopulmonary Resuscitation (CPR) is working at all times, in locations where more than one staff work at a time.
- I. **Providers** are responsible to ensure that:
 - i. each site has a staff responsible for supervising the day-to-day operations of the site and the operation of the program,
 - ii. staff and supervisory responsibilities are clearly defined during all hours of operation,
 - iii. Job descriptions and educational requirements are maintained for each position,
 - iv. Performance appraisals are conducted at least annually for all employees, and
 - v. if an employee develops indications of a serious physical, emotional, or mental condition which could seriously jeopardize the well-being of any **Person** receiving services, or could prevent satisfactory performance of duties, that employee shall be excluded from providing supports until the condition is resolved to the satisfaction of a licensed physician or other appropriate professional and until a written statement of such is presented and approved by the **Provider**.

7. **Provider** Support staff requirements:

- A. Employees and others providing self-directed supports shall meet competency requirements in the areas of (a) consumer and/or family training and education in self-determination and self-advocacy, (b) competency evaluation and guardianship assistance, (c) advocacy support, (d) identifying, building, and maintaining natural supports, (e) assisting a Person/Representative to obtain services to assess the Person's functional capability to give informed consent in all areas of decision making, (f) instructing and/or consulting with families on ways to help the family member with a disability learn the specific skills necessary to become as self-sufficient as possible, and (g) instructing and/or consulting with families on ways to help the family member with a disability learn the specific skills necessary to safely live in the home setting.
- B. Employees and others providing chore and/or homemaker supports must be capable of completing all required tasks.

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C. Professional and host home parents must be at least 21 years of age and prior to providing supports pass a Bureau of Criminal Identification and criminal background check along with any one else over the age of 18 living in the home.

- vi. Professional and Host Home parents shall be assisted and supported by employees who are able to give technical support and assistance to the professional parents in the day-to-day operation of the home. The support may include: consultation, and hands-on training for the Person, as well as relief to the professional parent.
- vii. be interviewed by the Provider and have written references verified and on file with the Provider.

D. Employees and others providing family support and respite care supports must:

- i. provide information to include, name, address, telephone number, training and experience in the area of developmental disabilities, physical problems that might limit their abilities to serve the specific kinds of disabilities, and the names, addresses, and telephone numbers for three non-family references,
- ii. receive training on the keys to Successful Family Support, philosophy of supporting the family (as opposed to supplanting the family) and how to maintain positive interactions with the family, and
- iii. complete a self-certification form annually and agree to be subject to a random sample audit if the respite services are provided in the employee's own home.

E. Employees and others providing specialized supports must meet the following licensure requirements:

- i. Chiropractors licensed per Utah Administrative Rule R156-73,
- ii. Acupuncturists licensed per Utah Administrative Rule R156-72,
- iii. Massage Therapist licensed per Utah Administrative Rule R156-47b, and
- iv. Counseling licensed per Utah Code Annotated sections 58-60-103, 58-60-107, and 58-60-205.

8. **Department** auditing staff shall ensure that proof of **Provider** compliance with this policy is on file and that **Provider** employees have received a minimum of 12 hours of training, including first aid and illness symptom recognition, Cardiopulmonary Resuscitation, nutrition (Providers of supported employment or Day Supports are exempt), current methods of support, and other relevant subjects.